

### **III. REMARKS**

By this amendment, claims 1, 9 and 18 have been amended, and claims 4, 11 and 20 have been canceled. As a result, claims 1-3, 5-10, 12-20 and 21-26 remain pending in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office. The present claim amendments are only for facilitating expeditious prosecution. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants respectfully reserve the right to pursue the full scope of the subject matter of these original claims and other claims in one or more subsequent patent application that claim(s) priority to the instant application.

In the Office Action, claims 1-6, 8-26 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Guo et. al. (US Pub. No. 2005/0120121), hereinafter “Guo,” in view of Paulo *et al.* (U.S. Patent Pub. No. 2002/0198790), hereafter “Paulo,” and further in view of Wharton (U.S. Patent Pub. No. 2005/0027610), hereafter “Wharton.” Claim 7 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over “Guo” in view of Paulo and Wharton and further in view of Marks (US 6,876,977), hereinafter “Marks”. Claims 9-17 and claims 18-26 are rejected for the same reasons given for claims 1-8. Reconsideration in view of the following remarks is respectfully requested.

#### **REJECTION OF CLAIMS 1-26 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejection over Guo in view of Paulo and Wharton and/or Marks as a secondary reference, Applicants assert that the cited references, considered individually or in combination, do not teach or suggest each and every feature of the claimed invention.

In addition to previously submitted arguments, Applicants submit that the cited references do not teach or suggest, *inter alia*, that the set of back end systems have a plurality of back-end systems each contains a particular type of item and communicates with a supplier having the type of item. In contrast, Wharton, although teaching multiple vendors with a unified checkout system, fails to teach or suggest a plurality of back end systems that each contains a particular type of item and communicates with a supplier having the type of item, one of which is selected based on the item type. Accordingly, Applicants respectfully request that the rejection be withdrawn.

With further respect to independent claims 1, 8 and 16, Applicants respectfully submits that the cited references also fail to teach or suggest that the request is received via a unitary system for requesting items of different types and that unitary system limits items of a secondary request to the unified system to those of the same type as the initial request. The Office states that it is old and well known to expect similar products from the same vendor. However, Applicants respectfully object to the Office's use of Official Notice, especially in light of the fact that the request are made via a system that is designed to receive requests for items of different types. Accordingly; Applicants respectfully request that the rejection be withdrawn.

#### **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's

combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: August 6, 2008

/Hunter E. Webb/  
Hunter E. Webb  
Reg. No.: 54,593

Hoffman Warnick LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)